

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DEVENDRA SHARMA,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Civil Action No. 2:20-cv-15004

PETITIONER’S NOTICE OF WITHDRAWAL OF PETITION

Petitioner, Devendra Sharma, moves, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, to withdraw his petition, which, pursuant to 26 U.S.C. § 7609(b)(2), seeks to quash an Internal Revenue Service third-party Summons issued to Bank of New York Mellon Corporation (“BNY Mellon”).

1. On October 26, 2020, Petitioner filed his Petition to Quash the IRS Summons issued to BNY Mellon.

2. On or about December 7, 2020, Mr. Ward W. Benson, Trial Attorney, Tax Division, U.S. Department of Justice, advised counsel for Petitioner, George B. Abney, that the IRS had withdrawn the IRS Summons issued to BNY Mellon.

3. Because the IRS Summons has been withdrawn, there is no need for Petitioner to continue his efforts to quash the IRS Summons issued to BNY Mellon.

WHEREFORE, Petitioner Devendra Sharma respectfully requests that

his petition be withdrawn.

Dated this 1st day of February, 2020.

ALSTON & BIRD LLP



Karl Geercken
ALSTON & BIRD LLP
90 Park Ave
New York, NY 10016
(212) 210-9471 (telephone)
(212) 922-3931 (facsimile)
E-mail: Karl.Geercken@alston.com

George B. Abney (to seek admission *pro hac vice*)
ALSTON & BIRD LLP
One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3424
(404) 881-7000 (telephone)
(404) 881-4777 (facsimile)
E-mail: George.Abney@alston.com

SO ORDERED.

s/Susan D. Wigenton

Hon. Susan D. Wigenton
United States District Judge
Dated: February 2, 2021